

**BY ORDER OF THE
SECRETARY OF THE AIR FORCE**



AIR FORCE INSTRUCTION 36-2023

8 MARCH 2007
Certified Current 11 April 2011
Personnel

**THE SECRETARY OF THE AIR FORCE
PERSONNEL COUNCIL AND THE AIR FORCE
PERSONNEL BOARD**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

ACCESSIBILITY: Publications and forms are available on the e-Publishing website at www.e-publishing.af.mil for downloading or ordering.

RELEASABILITY: There are no releasability restrictions on this publication.

OPR: SAF/MRBP
Supersedes AFI 36-2023, 14 October 1994

Certified by: SAF/MRB (Mr. Joe Lineberger)
Pages: 8

This instruction implements AFPD 36-20, *Accession of Air Force Military Personnel* and AFPD 31-2, *Law Enforcement*. It describes the functions of the Secretary of the Air Force Personnel Council, lists its component boards, and defines its composition and responsibilities as they apply to all Council members and the Council Director's Special Assistants. It also addresses matters considered by the Air Force Personnel Board and the procedures associated with the suspension or revocation of parole or mandatory supervised release by the Air Force Clemency and Parole Board. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with AFMAN 37-123 (which will become AFMAN 33-363), *Management of Records* and in accordance with the *Air Force Records Disposition Schedule (RDS)* located at <https://afrims.amc.af.mil>

SUMMARY OF CHANGES

This instruction updates and clarifies previous guidance regarding the Secretary of the Air Force's Personnel Council and the Air Force Personnel Board. It deletes two boards that no longer exist, the Board of Review and the Physical Disability Appeal Board. It incorporates the Air Force reorganization that eliminated the Assistant Secretary of the Air Force (Manpower, Reserve Affairs, Installations, and Environment) and established the Assistant Secretary of the Air Force (Manpower and Reserve Affairs). It deletes references to Air Force Regulations. It updates references to actions taken under the authority of the Reserve Officer Personnel Management Act. It implements new procedures for carrying out certain decisions of the Air Force Clemency and Parole Board.

1. The Air Force Personnel Council :

1.1. Definition. The Personnel Council (Council) is a quasi-judicial organization under the Assistant Secretary of the Air Force for Manpower and Reserve Affairs. It acts for and makes recommendations to the Secretary or the Secretary's designee on military personnel matters and announces Secretarial decisions.

1.2. Composition. The Council is composed of regular, United States Air Force Reserve (USAFR), and Air National Guard (ANG) commissioned officers, noncommissioned officers, and Department of the Air Force civilians. The Director, Air Force Review Boards Agency (AFRBA), SAF/MRB, appoints component board members on special orders. Additionally, with concurrence of their commanders, collateral board members may serve on component boards at the request of the Director, Secretary of the Air Force Personnel Council (SAFPC), SAF/MRBP. The names and organizations of these collateral officers will also be reflected in special orders.

1.3. The directives and statutes listed below define component boards of the Council and describe the responsibilities of the Director, SAFPC, and each component board member for each respective board.

1.3.1. Air Force Discharge Review Board (See Title 10 U.S.C. section 1553, and DoDD 1332.41, *Boards for Correction of Military Records (BCMRs) and Discharge Review Boards (DRBs)*)

1.3.2. Air Force Decorations Board (See AFI 36-2803, *The Air Force Awards and Decorations Program*)

1.3.3. Air Force Clemency and Parole Board (See Title 10 U.S.C. sections 874 and 951-54, and AFI 31-205, *The Air Force Corrections System*)

1.3.4. Air Force Personnel Board (AFI 36-2023, *Secretary of the Air Force Personnel Council and the Air Force Personnel Board*)

NOTE: AFI 51-602, *Boards of Officers*, does not apply to the component boards. Also, the Director, SAFPC, is the president of the Department of Defense Civilian/Military Service Review Board (DoDD 1000.20, *Determinations of Active Military Service and Discharge of Civilian or Contractual Personnel*) and appoints members of the Council as the recorder and/or legal advisor.

1.4. Authority. The Director, AFRBA, and the Director, SAFPC, can each act on certain recommendations of the Air Force Personnel Board (AFPB). The authority of the board is set forth in the governing statutes and instructions (regulations) applicable to the underlying personnel action or as provided for in Secretarial delegations and policy memoranda. A copy of the current delegation order may be found at <http://www.safaa.hq.af.mil/aax/safo/240-8.pdf>. A complete list of pertinent statutes and instructions can be found in the attachment to this AFI.

1.5. The Air Force Personnel Board. The AFPB reviews and acts on personnel matters, including those listed in paragraph 2. All commissioned officers on the Council are members of this Board. Notwithstanding any other provision in any other Air Force Instruction, a civilian member of the Department of the Air Force assigned to the Council may also sit on the Personnel Board; additional members may be appointed by the Director, AFRBA, on special orders. Three members constitute a quorum, with the following exceptions:

1.5.1. For regular Air Force appointments, the quorum must contain five regular Air Force members.

1.5.2. For physical disability evaluations or regular Air Force appointments of medical corps officers, dental officers, nurses, and medical specialists, the quorum must include a medical corps officer.

1.5.3. For involuntary release from active status, discharge, or transfer to the retired reserve of USAFR officers, the quorum must include a USAFR or ANG officer.

2. Purview of the Air Force Personnel Board :

2.1. Resignations, Retirements, Separations, Transfers, Releases. The board will consider cases of, or requests by:

- 2.1.1. An officer to retire, resign, be released, or separated from active duty.
- 2.1.2. A USAFR officer to continue or end active status or active duty with Selective Service (Title 10 U.S.C. section 12647).
- 2.1.3. A USAFR officer to continue or end active duty or active status (Title 10 U.S.C. sections 12308, 14507, 14702, and 14703).
- 2.1.4. A reservist to continue on active duty after qualifying for retirement, or a request by a unit to separate a reserve component member after he or she completes 18 but less than 20 years of active service (Title 10 U.S.C. sections 12308, 12646 and 12686).
- 2.1.5. A commissioned officer to transfer from the Air Force to another service (AFI 36-3207, *Administrative Discharge Procedures*, and DoDD 1300.4, *Inter-Service Transfer of Commissioned Officers*).
- 2.1.6. Air Force Academy cadets who wish to resign or who are considered for disenrollment pursuant to AFI 36-2020, *Disenrollment of United States Air Force Academy Cadets*, and as provided for in SAFO 240.8.
- 2.1.7. Air Force members who are considered for retirement or separation due to physical disability (Title 10 U.S.C. chapters 61 and 69; and AFI 36-3212).
- 2.1.8. An officer to withdraw a resignation (AFI 36-3207).
- 2.1.9. An Air Force member being considered for involuntary administrative separation, and the discharge, retirement, or transfer to the retired reserve, when the individual:
 - 2.1.9.1. Is physically unfit for further military service; or
 - 2.1.9.2. Has applied and is eligible for length of service retirement.
- 2.1.10. An officer whom the Air Force recommends be dropped from the rolls of the Air Force (Title 10 U.S.C. sections 1161 and AFI 36-3207).
- 2.1.11. An Air Force member claiming to be a conscientious objector (AFIs 36-3204, 36-3207, or 36-3208).
- 2.1.12. An enlisted member with lengthy service who is considered for involuntarily discharge or appeals a non-selection for reenlistment (AFI 36-3208, *Administrative Separation of Airmen*, and AFI 36-3209, *Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members*).
- 2.1.13. A unit to terminate AGR status of a member who is within two years of qualifying for retirement under the provisions of Title 10 U.S.C. sections 8911 or 8914.

2.2. Entitlements, Benefits, Pay. The board:

- 2.2.1. Establishes the highest grade an individual satisfactorily held in order to calculate:
 - 2.2.1.1. Disability retirement or separation under Title 10 U.S.C. chapters 61 and 69.

2.2.1.2. Retirement for length of service under Title 10 U.S.C. chapter 869.

2.2.1.3. Retirement under Title 10 U.S.C. chapters 1223 and 1411.

2.2.1.4. Dependency and indemnity compensation payments to beneficiaries authorized by Title 38 U.S.C. chapter 13, for a service-connected death.

2.2.2. May consider applications to modify selections under the Survivor Benefit Plan, Title 10 U.S.C. chapter 73, subchapter II, and AFI 36-3006, *Survivor Benefit Plan (SBP) and Supplemental Survivor Benefit Plan (SSBP)*.

2.2.3. Considers advancing members retired in enlisted status on the retired list to the highest grade satisfactorily held and grade determinations on officers to identify the highest grade satisfactorily held (Title 10 U.S.C. chapters 69, 869, and 1225, and AFI 36-3203, *Service Retirements*).

2.3. Appointments. The board considers applications for appointments:

2.3.1. As a regular officer by an officer who is not eligible for Central Selection Board consideration (AFI 36-2610, *Appointing Regular Air Force Officers and Obtaining Conditional Reserve Status*).

2.3.2. As a USAFR commissioned officer (Title 10 U.S.C. sections 593 and 594).

2.4. Demotion, Discharge, Promotion:

2.4.1. The board considers the following cases:

2.4.1.1. Voluntary resignations or retirement applications or requests for transfer to the retired reserve of commissioned officers and retirement eligible enlisted members of the Reserve component in lieu of involuntary administrative discharge or trial by court-martial (AFIs 36-3206, 36-3207, and 36-3209).

2.4.1.2. A second lieutenant found not qualified for promotion to first lieutenant. (Title 10 U.S.C. section 630, and AFIs 36-2501, 36-3207, or 36-3209).

2.4.1.3. Officers processed for involuntary administrative discharge (AFIs 36-3206, 36-3207, or 36-3209).

2.4.1.4. Air National Guard members processed for involuntary administrative discharge (AFI 36-3209).

2.4.1.5. A member administratively discharged due to a foreign civil conviction (AFI 36-3209).

2.4.2. The Board also considers recommendations to:

2.4.2.1. End the suspension of an approved administrative discharge in cases where lengthy service probation had previously been granted (AFIs 36-3208 and 36-3209).

2.4.2.2. Revoke a previous Secretarial action.

2.4.2.3. Involuntarily discharge Non-EAD USAFR officers (AFI 36-3209).

2.4.2.4. Allow retirement in lieu of demotion (AFI 36-2503, *Administrative Demotion of Airmen*).

2.4.2.5. Authorize direct separation of enlisted members in the best interest of the Air Force - i.e., plenary authority (AFIs 36-3208 and 36-3209).

2.4.2.6. Immediately execute a discharge despite a pending appeal of an underlying civil conviction. (AFIs 36-3208 and 36-3209).

3. Air Force Clemency and Parole Board

3.1. When the Board suspends or revokes parole or mandatory supervised release and the Board concludes the parolee's or supervisee's activities can no longer be monitored or controlled by the assigned US Probation Officer, the Board may order a warrant for the parolee's or supervisee's return to military custody. For the purpose of returning such parolees and supervisees to military control, they will be considered the same as escaped military prisoners and deserters, whose return to military control is desired. (DoDD 1325.2, *Desertion and Unauthorized Absence*, and AFI 36-2911, *Desertion and Unauthorized Absence*).

3.1.1. When the Board orders a warrant, in accordance with AFI 31-205, the Commander, Air Force Security Forces Center, shall sign the Department of Defense (DD) Form 553, **Deserter/Absentee Wanted by the Armed Forces**.

3.1.2. When the Board orders a warrant, in accordance with AFI 31-205, and it is determined the parolee or supervisee presents a substantial threat to public safety, the Director, Secretary of the Air Force Personnel Council or the Board's Chairperson may sign the DD Form 553 in order to effect the return of the parolee or supervisee to military control as soon as possible.

3.2. Form Adopted. DD Form 553, Deserter/Absentee Wanted by the Armed Forces.

Mr. Robert Goodwin (SAF/MR)
Manpower and Reserve Affairs

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

- Title 10 U.S.C., Chapter 31, *Enlistments*
- Title 10 U.S.C., Chapter 36, *Promotion, Separation, and Involuntary Retirement of Officers on the Active Duty List*
- Title 10 U.S.C., Chapter 47, *Uniform Code of Military Justice*
- Title 10 U.S.C., Chapter 48, *Military Correctional Facilities*
- Title 10 U.S.C., Chapter 51, *Reserve Components: Standards and Procedures for Retention and Promotion*
- Title 10 U.S.C., Chapter 59, *Separation*
- Title 10 U.S.C., Chapter 60, Separation of Officers for Substandard Performance of Duty or For Certain Other Reasons
- Title 10 U.S.C., Chapter 61, *Retirement or Separation for Physical Disability*
- Title 10 U.S.C., Chapter 63, *Retirement for Age*
- Title 10 U.S.C., Chapter 69, *Retired Grade*
- Title 10 U.S.C., Chapter 71, *Computation of Retired Pay*
- Title 10 U.S.C., Chapter 73, *Annuities Based on Retired or Retainer Pay*
- Title 10 U.S.C., Chapter 79, *Correction of Military Records*
- Title 10 U.S.C., Chapter 867, *Retirement for Length of Service*
- Title 10 U.S.C., Chapter 869, *Retired Grade*
- Title 10 U.S.C., Chapter 1223, *Retired pay for Non-Regular Service*
- Title 10 U.S.C., Section 1553, *Review of Discharge or Dismissal*
- DoDD 1300.4, *Inter-Service Transfer Of Commissioned Officers*
- DoDD 1300.6, *Conscientious Objectors*
- DoDD 1320.10, *Discharge of Commissioned Officers Not Qualified For Promotion to First Lieutenant or Lieutenant (Junior Grade)*
- DoDD 1325.2, *Desertion and Unauthorized Absence*
- DoDD 1332.14, *Enlisted Administrative Separations*
- DoDD 1332.16, *Dropping Retired Military Personnel from the Rolls of the Armed Forces*
- DoDD 1332.18, *Separation or Retirement for Physical Disability*
- DoDD 1332.23, *Service Academy Disenrollment*
- DoDD 1332.30, *Separation of Regular and Reserve Commissioned Officers*

DoDD 1332.41, *Boards For Correction of Military Records (BCMRs) and Discharge Review Boards (DRBs)*

DoDI 1332.28, *Discharge Review Board (DRB) Procedures and Standards*

DoDI 1332.38, *Physical Disability Evaluation*

DoDI 1332.40, *Separation Procedures for Regular and Reserve Commissioned Officers*

SAFO 240.8, Delegation of Secretarial Authority to Take Final Action in Certain Individual Military Personnel Cases

AFPD 31-2, *Law Enforcement*

AFPD 36-20, *Accession of Air Force Military Personnel*

AFPD 36-32, *Military Retirements and Separations*

AFI 31-205, *Air Force Corrections System*

AFI 36-2004, *Interservice Transfer of Officers to the United States Air Force (USAF) and the United States Air Force Reserve (USAFR)*

AFI 36-2005, *Appointment In Commissioned Grades And Designation and Assignment in Professional Categories -- Reserve of the Air Force and United States Air Force*

AFI 36-2020, *Disenrollment of United States Air Force Academy Cadets*

AFI 36-2107, *Active Duty Service Commitments (ADSC)*

AFI 36-2501, *Officer Promotions and Selective Continuation*

AFI 36-2503, *Administrative Demotion of Airmen*

AFI 36-2504, *Officer Promotion, Continuation and Selective Early Removal In The Reserve Of The Air Force*

AFI 36-2606, *Reenlistment in the United States Air Force*

AFI 36-2706, *Military Equal Opportunity (MEO) Program*

AFI 36-2910, *Line Of Duty (Misconduct) Determination*

AFI 36-2911, *Desertion and Unauthorized Absence*

AFI 36-3006, *Survivor Benefit Plan (SBP) and Supplemental Survivor Benefit Plan (SSBP) (Active, Guard, Reserve, and Retired)*

AFI 36-3202, *Separation Documents*

AFI 36-3203, *Service Retirements*

AFI 36-3204, *Procedures for Applying as a Conscientious Objector*

AFI 36-3205, *Applying For the Palace Chase and Palace Front Programs*

AFI 36-3206, *Administrative Discharge Procedures for Commissioned Officers*

AFI 36-3207, *Separating Commissioned Officers*

AFI 36-3208, *Administrative Separation of Airmen*

AFI 36-3209, *Separation and Retirement Procedures for Air National Guard and Air Force Reserve Members*

AFI 36-3212, *Physical Evaluation for Retention, Retirement, and Separation*

AFI 51-201, *Administration of Military Justice*

AFI 51-202, *Nonjudicial Punishment*

AFMAN 37-123 (will become AFMAN 33-363), *Management of Records*

Abbreviations and Acronyms

AFI—Air Force Instruction

AFPB—Air Force Personnel Board

AFPD—Air Force Policy Directive

AGR—Active Guard/Reserve

ANG—Air National Guard

BCMR—Board for Correction of Military Records

DoDD—Department of Defense Directive

DoDI—Department of Defense Instruction

DRB—Discharge Review Board

SAF—Secretary of the Air Force

SAFPC—Secretary of the Air Force Personnel Council

SAFO—Secretary of the Air Force Order

USAFR—United States Air Force Reserve

U.S.C.—United States Code